

REMARKS

1. Claims in the Case

Claims 1, 3, 5-6, 20, 22-47 and 56-63 are cancelled. Claims 2, 7-12, 21, 48 and 64-69 have been amended. Claims 70-76 have been added. Claims 2, 4, 7-19, 21, 48-55, and 64-76 are pending, of which 10-19, 53-55 and 65-69 and 72-73 are withdrawn from consideration. Accordingly, claims 2, 4, 7-9, 21, 48-52, 64, 70-71 and 74-76 are under examination.

Applicants would like to correct a statement made in the previous response which, upon further analysis, appears to be incorrect. In the previous response it was stated that each sequence embraced by claim 4 included the sequence “RECES.” It appears that SEQ ID NO:4 does not include this motif, whereas the remaining SEQ ID NO:s do have this motif (see paragraph [0047] of the specification).

Support for the added limitations of “30 amino acids or less”, “20 amino acids or less” and “10 amino acids or less” can be found in the specification at paragraph [0011].

The newly added claims are believed to be straight forward and self explanatory.

Claim 7 has been amended to specify a manufacturing process, to address the written description issue. Support for amended claim 7 can be found in claim 48 and the specification, for example, at paragraphs [0036] – [0037] and [0044] – [0048]. Various other amendments to the claims have been made to correct the language of the multiple dependency, in light of the amendment to claim 7.

2. Claim Objection under 37 C.F.R. §1.75(c)

The Action first objects to claim 20 under 37 C.F.R. §1.75(c) as allegedly failing to limit the subject matter of claims 4, 7 and 8.

Applicants note that claim 20 has been canceled to address the rejection, and claim 21 amended. Applicants reserve the right to proceed with the antibody aspect of claim 20 in future continuing applications.

3. Rejection of Claims 2 and 7-9 and 20 Under 35 U.S.C. §112, First Paragraph (Written Description)

The Action rejects claims 2, 7-9 and 20 under 35 U.S.C. §112, first paragraph (written description).

In response, Applicants have amended claim 7 and dependents therefrom to recite a process of manufacturing, which should address the Action's concerns. Applicants note that in accordance with the MPEP written description examination guidelines, in the case of process claims, the specification is only required to describe the "acts" specified by the claim ("If the application as filed does not disclose the complete structure (*or acts of a process*) of the claimed invention as a whole ..."; emphasis ours).

See, e.g., http://www.uspto.gov/web/offices/pac/mpep/documents/2100_2163.htm#sect2163.

In light of the referenced amendments, it is submitted that the written description rejection has been adequately addressed.

4. Rejection of Claim 20 as Anticipated

Claim 20 has been rejected as anticipated by Mentzel *et al.* In light of Applicants cancellation of claim 20 to address the objection under 37 C.F.R. §1.75(c), the instant anticipation rejection is believed to be moot.

5. Conclusion

In light of the foregoing, it is believed that the case is in condition for rejoinder of the withdrawn claims. If any questions arise, the Examiner is requested to contact the undersigned Applicant's representative.

Respectfully submitted,



David L. Parker
Reg. No. 32,165
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201
(512) 536-4598 (facsimile)

Date: June 21, 2007